

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC.)
PRODUCTS LIABILITY LITIGATION)
v.) MDL No: 1:13-md-2419-RWZ
)
This Document Relates to:)
)
Kennedy, et al. v. Unifirst Corporation, et al.)
No: 1:13-cv-13227-RWZ)
)
Musselwhite v. Unifirst Corporation, et al.)
No: 1:13-cv-13228 -RWZ)
)

SECOND JOINT MOTION FOR ORDER TO SET REVISED BRIEFING SCHEDULE

The defendants, Advanced Pain & Anesthesia Consultants, PC d/b/a APAC Centers for Pain Management and Randolph Y. Chang, M.D., (hereinafter the “APAC Defendants”) and the Plaintiffs’ Steering Committee (“PSC”) have conferred in order to establish a briefing schedule for PSC’s Response to APAC Defendants’ Motion to Dismiss in the above referenced dockets. APAC Defendants’ Motion to Dismiss (the “Motion”) was filed with this Court on May 7, 2014.

The parties have agreed to the following briefing schedule, with such proposed dates superseding those dates set forth in the First Joint Motion For Order To Set Revised Briefing Schedule and Re-Scheduling of Oral Argument filed on August 29, 2014 (Docket #1357):

1. The PSC will file its Opposition to the APAC Defendants’ Motion to Dismiss no later than **September 26, 2014**;
2. The APAC Defendants will file its Reply to the PSC’s Response to the Motion, if any, no later than **October 3, 2014**; and (limited to 5 pages)
3. If necessary, the PSC may file a sur-reply to the Reply to the PSC’s Response to the Motion, if any, no later than **October 10, 2014**. (limited to 5 pages)

The parties respectfully request that the Court enter the attached order to formalize the

above-described revised briefing schedule. In addition, pursuant to Local Rule 7.1(d), the parties request that the Court reserve a date for oral argument.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I, Kimberly A. Dougherty certify that a copy of this document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF) will be sent to these parties by operation of the CM/ECF system on September 5, 2014.

/s/ Kimberly A. Dougherty